

§ 326.7

supported by all the facts and circumstances and is in the best interest of the United States.

§ 326.7 Litigation.

(a) If a court suit of a P&I nature is filed which arises out of the activities of the Agent under its Agreement, wherein the Agent is named as the party defendant or one of the parties' defendant irrespective of whether the risk is covered by P&I insurance, the Agent shall immediately forward copies of the pleading and all other related legal documents, by first class mail, to the Chief Counsel, Maritime Administration, Department of Transportation, Washington, DC 20590, and to the Attorney General, Attn: Civil Division, Torts Branch, Department of Justice, Washington, DC 20530. No agent or authorized subagent shall incur any legal expenses in connection with any claim of a P&I nature, unless approved in advance by MARAD, and by the underwriter, where applicable. However, the Agent may incur legal expenses if the mission of the vessel will be frustrated or impeded and/or time will not permit such prior approval.

(b) In the event of any attachment or seizure of a vessel, whether or not the risk is of a P&I nature, the Agent shall immediately notify the Chief Counsel, Maritime Administration, Washington, DC 20590, Tel. (202) 366-05711, by telegram, radio, or cable.

PART 327—SEAMEN'S CLAIMS; ADMINISTRATIVE ACTION AND LITIGATION

Subpart A—Clarification Act Claims: Seamen's Claims; Administrative Action and Litigation

Sec.

- 327.1 Purpose.
- 327.2 Statutory provisions.
- 327.3 Required claims submission.
- 327.4 Claim requirements.
- 327.5 Filing claims.
- 327.6 Notice of allowance or disallowance.
- 327.7 Administrative disallowance presumption.

46 CFR Ch. II (10–1–15 Edition)

327.8 Court action.

Subpart B—Admiralty Extension Act Claims; Administrative Action and Litigation

- 327.20 Admiralty Jurisdiction Extension Claims: Required claims.
- 327.21 Definitions.
- 327.22 Who may present claims.
- 327.23 Insurance and other subrogated claims.
- 327.24 Actions by claimant.
- 327.25 Contents of a claim.
- 327.26 Evidence supporting a claim.
- 327.27 Proof of amount claimed for personal injury.
- 327.28 Proof of amount claimed for loss of, or damage to, property.
- 327.29 Effect of other payments to claimant.
- 327.30 Statute of limitations for AEA and claim requirements.
- 327.31 Statute of limitations not tolled by administrative consideration of claims.
- 327.32 Notice of claim acceptance or denial.
- 327.33 Claim denial presumption.
- 327.34 Court action.

Subpart C—Other Admiralty Claims

- 327.40 Other Admiralty claims.
- 327.41 Definitions.
- 327.42 Who may present claims.
- 327.43 Insurance and other subrogated claims.
- 327.44 Actions by claimant.
- 327.45 Contents of a claim.
- 327.46 Evidence supporting a claim.
- 327.47 Proof of amount claimed for personal injury.
- 327.48 Proof of amount claimed for loss of, or damage to, property.
- 327.49 Effect of other payments to claimant.
- 327.50 Statute of limitations for other admiralty claims and claim requirements.
- 327.51 Statute of limitations not tolled by administrative consideration of claims.
- 327.52 Notice of claim acceptance or denial.

AUTHORITY: 46 U.S.C. Chapters 301–309.

SOURCE: 77 FR 65633, Oct. 30, 2012, unless otherwise noted.

Subpart A—Clarification Act Claims: Seamen's Claims; Administrative Action and Litigation

§ 327.1 Purpose.

This part prescribes rules and regulations pertaining to the filing of claims designated in § 327.3 and the administrative allowance, or disallowance (actual and presumed), of such claims, in whole or in part, filed by officers and